



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/694,022 | 10/28/2003 | Koichi Endo | 244379US | 3729 |

22850 7590 09/13/2006

C. IRVIN MCCLELLAND
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

SHAH, AMEE A

| | |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
|----------|--------------|

3625

DATE MAILED: 09/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/694,022

Applicant(s)

ENDO ET AL.

Examiner

Amea A. Shah

Art Unit

3625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 June 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-63 is/are pending in the application.
- 4a) Of the above claim(s) 48-63 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-47 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 October 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/909902.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>10/28, 6/6, 9/19, 11/</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 1-63 are pending in this action.

Election/Restrictions

Applicant's election without traverse of Group I, claims 1-47, in the reply filed on June 26, 2006, is acknowledged.

Claims 48-63 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on June 26, 2006.

Therefore, only claims 1-47 are examined in this action.

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) and (5) because:

(1) reference character "S31" has been used to designate both the step of sending searched results (Fig. 16 and Specification, page 15) and the step of requesting trend information (Fig. 17 and Specification, page 16);

(2) reference character "S32" has been used to designate both the step of displaying searched results (Fig. 16 and Specification, page 16) and the step of reading trend information (Fig. 17 and Specification, page 16);

(3) they do not include the following reference sign(s) mentioned in the description: 10A, 10B and 10C (Specification, page 23);

(4) they include the following reference character(s) not mentioned in the description: 31, 32, 33, 34 (Fig. 1) and S44 (Fig. 19).

Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

Claim 23 is objected to because of the following informalities: there is an error in line 2 of the claim where "configured to register" is missing after "database." Appropriate correction is required.

Examiner Note

Examiner cites particular pages, columns, paragraphs and/or line numbers in the references as applied to the claims below for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is

Art Unit: 3625

respectfully requested that, in preparing responses, the applicant fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Claim Rejections - 35 U.S.C. § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-47 are rejected under 35 U.S.C. 102(e) as being anticipated by Thackston, US 6,295,513 B1 (hereafter referred to as “Thackston”).

Referring to claim 1. Thackston discloses a component management system comprising:

- a component database configured to register component data regarding a plurality of components which have been examined based on a predetermined criterion and including examination results indication a correlation between each of the plurality of components examined and the predetermined criteria (Fig. 20, col. 34, lines 28-30, col. 35, lines 11-18, col. 36, lines 42-58, col. 37, lines 13-21, col. 38, line 55 through col. 39, line 4, and col. 42, lines 13-25 – note that the database is within the GMR, reference number 3000 on Fig. 20, the data comprise the fabricator information, and the criteria can be any vendor qualifications, material qualifications, including quality, and delivery options);

- a receiver which receives information regarding components (Fig. 20, and col. 36, lines 42-58 – note the receiver is the fabricator update processing module which allows fabricators, i.e. suppliers, to upload information);
- an updating section which updates the component data registered in the component database, in accordance with the examination based on the information received by said receiver (Fig. 20, col. 36, lines 42-58, and col. 42, lines 13-19 – note the updating section is comprised of the fabricator update processing module and the quality assurance data module, both within the GMR); and
- a selector which selects an arbitrary component from the plurality of components registered in the component database (col. 38, lines 39-44 – note the selection is the results report of qualified component(s)).

Referring to claim 2. Thackston further discloses the component management system according to claim 1 wherein: said component data includes data representing whether each of the plurality of components is a component admitted to be purchased based on the examination results (col. 38, line 55 through col. 9, line 4 – note the determination of being admitted to be purchased is based on vendor qualifications, material quality and delivery location); and said selector selects an arbitrary component from the plurality of components to be purchased, based on the component data (col. 12, line 66 through col. 13, line 5, col. 38, lines 39-44, and col. 44, lines 35-40 – note that the selection is the results report and that they designer is able to purchase because the system is capable of electronic commerce).

Referring to claim 3. Thackston further discloses the component management system according to claim 1 wherein the component data includes data representing whether each of the plurality of components is a component admitted to be purchased based on the examination results, and said selector warns that a component which is not admitted to be purchased is selected, based on the component data (col. 38, lines 39-44 and line 55 through col. 39, line 4, and col. 40, lines 26-37 – note that the warning is contained in the results report that no qualified fabricators on both lists exists).

Referring to claim 4. Thackston further discloses the component management system according to claim 1 wherein the component data includes a recommendation to use a component based on the examination results (col. 40, lines 26-37 – note the recommendation is the list of qualifying fabricators).

Referring to claim 5. Thackston further discloses the component management system according to claim 1 wherein the component data includes a rating of a component determined by the examination results (col. 42, lines 13-25 – note the rating is based on an examination of quality).

Referring to claim 6. Thackston further discloses the component management system according to claim 5 wherein: at least one component is re-examined based on the information received by said receiver (col. 41, lines 8-21 –note the re-examination is based on information on quality); and said updating section includes a register which registers, in the component

Art Unit: 3625

database, updated component data regarding the at least one component that has been re-examined, and an adjuster which adjusts a rating of each of the plurality of components in accordance with results of reexamination based on the information received by said receiver (col. 41, lines 13-25 – note the register and adjuster are contained within the quality assurance data module).

Referring to claim 7. Thackston also discloses the component management system according to claim 1 further comprising a system which provides a predetermined criterion based on which each of the plurality of components is examined, and wherein the component database registers the component data regarding at least one component which satisfies the predetermined criterion (col. 42, line 13-25 and col. 47, lines 23-27 – note the criteria is provided for the query).

Referring to claim 8. Thackston also discloses the component management system according to claim 1 further comprising a system which provides a criterion based on which each of the plurality of components is examined, and wherein the component data includes data representing whether each of the plurality of components satisfies the criterion (col. 37, lines 13-17 – note the criterion is comprised of the global criteria).

Referring to claim 9. Thackston further discloses the component management system according to claim 1 further comprising: an input unit which inputs information for specifying a component (Fig. 21 and col. 37, lines 10-33 – note the input unit is the designer preference module); and a retriever for retrieving a component which satisfies the input information from

the component database (Fig. 21 and col. 38, lines 39-44 – note the retriever is the query processing module).

Referring to claim 10. Thackston also discloses the component management system according to claim 1 further comprising a catalogue database which stores an electronic catalogue specifically reporting information representing the plurality of components stored in the component database, and wherein the component data registered in the component database is linked to information representing the electronic catalogue, so that the electronic catalogue can be accessed through the component data (Figs. 3, 7 and 20, col. 13, line 43 through col. 14, line 5 and col. 35, lines 8-18– note that the materials database can contain the fabricator database and comprises a catalog).

Referring to claim 11. Thackston also discloses the component management system according to claim 1 further comprising an index-information storage which stores index information which can be an index for selecting a component; and a reader which reads and provides, in response to a request, index information corresponding to the request from said index-information storage (Figs. 3, 7 and 20, and col. 42, lines 40-53 – note that the GMR data module can categorize data and index information).

Referring to claim 12. Thackston also discloses the component management system according to claim 1, further comprising an improvement/cessation database storing improvement/cessation information representing if any of the plurality of components

Art Unit: 3625

represented by the information retrieved by said retriever is improved, to be improved or not to be manufactured any more, and wherein said updating section updates the component data registered in the component database, based on the improvement/cessation information registered in the improvement/cessation database (col. 36, lines 42-55 and col. 46, line 66 through col. 47, line 22 – note the improvement/cessation information comprises the background and/or capabilities changes, such as the purchase of a new machine).

Referring to claim 13. Thackston further discloses the component management system according to claim 1 wherein said receiver is prepared commonly for a predetermined range of organizations (Fig. 20, and col. 11, line 57 through col. 12, line 30 – note that the receiver can be prepared to one or many organizations).

Referring to claim 14. Thackston also discloses the component management system according to claim 1 further comprising a terminal configured to request examination of a component (col. 37, lines 10-20 and col. 38, lines 55-67 – note that the request for examination is the preference query).

Referring to claim 15. Thackston also discloses the component management system according to claim 1 further comprising a terminal configured to select a component for use in manufacturing a product from the plurality of components registered in the component database (col. 30, lines 8-10 and col. 44, lines 4-13).

Referring to claim 16. Thackston also discloses the component management system according to claim 1 further comprising: an application terminal which applies for purchasing a component registered in the component database; and a purchase terminal which executes a process for purchasing the component in response to the applying for purchasing the component (col. 49, lines 3-13 – note the application of for purchasing is the RFQ process and the process for purchasing is the selection of the winning bid for the part).

Referring to claim 17. Thackston also discloses the component management system according to claim 1 further comprising a second database which stores a part of or entire copy of the information stored in the component database; and a terminal which updates said second database in accordance with a predetermined examination criterion (Fig. 2, and col. 10, lines 53-65 – note the second database is the backup data storage).

Referring to claims 18-47. All of the limitations in claims 18-47 are closely parallel to the limitations of apparatus claims 1-17, analyzed above and are rejected on the same bases.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(1) King, Jr. et al., US 5,319,542, discloses a system for electronically procuring items including receiving data, examining data according to a predetermined criterion and saving the data in a separate, accessible catalog (*see, e.g.*, cols. 2-6).

(2) Joseph, US 5,878,401, discloses a method and apparatus for determining whether an item meets a particular criterion, i.e. being in stock, and displaying indicators when the criterion is not met (*see, e.g.*, cols. 3-8).

(3) Guinta et al., US 6,092,060, discloses a method and apparatus for computer-aided assessment of organizational process or system including examining data according to predetermined criteria (*see, e.g.*, cols. 6-19).

(4) Wong et al., US 2001/0049615 A1, discloses a method and apparatus for workforce procurement and managements including admitting components based on a predetermined criterion, i.e. pre-selecting vendors (*see, e.g.*, pages 2-7).

(5) Willner et al., US 2002/0065736 A1, discloses an electronic procurement system enabling employees to electronically order goods directly from vendors (*see, e.g.*, pages 2-6).

(6) Hare et al., US 6,850,900 B1, discloses a commercial electronic marketplace including a database which registers component data which have been examined according to whether a contract exists or not, a receiver to receive information, an updating section to update the data, and a selector to select a component, and which can also be used to reject claim 1 (*see, e.g.*, cols. 9-23).

(7) Baumann et al., US 7,082,408 B1, discloses a system and method for procuring non-production commodities including where items can be purchased according to whether a contract exists between the supplier and business, and displaying such criteria to the employees (*see, e.g.*, Figs. 5 and 6 and cols. 5-12).

(8) Adams et al., WO 98/49644, discloses an electronic procurement system and method wherein components are examined according to a predetermined criterion, i.e. pre-approved,

users can purchase these items and a warning is displayed when the criterion is not met (*see, e.g.*, pages 3-50).

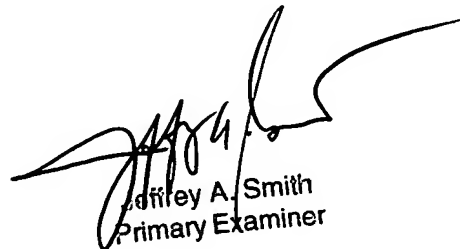
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amee A. Shah whose telephone number is 571-272-8116. The examiner can normally be reached on Mon.-Fri. 7:00 am - 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Smith can be reached on 571-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AAS

September 9, 2006



Jeffrey A. Smith
Primary Examiner